

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOSEPH WEAVER,

Defendant.

**8:23CR229**

**ORDER**

Defendant has moved to continue the trial, (Filing No. 22), because discovery is continuing to be exchanged and Defendant and defense counsel need additional time to fully review the discovery. The motion to continue trial is unopposed and defense counsel is asking that the matter be set for a status conference. Based upon the showing set forth in the motion, the court finds the motion should be granted. Accordingly,

IT IS ORDERED:

- 1) Defendant's Unopposed Motion to Continue Trial, (Filing No. 22), is granted.
- 2) The trial of this case is continued pending further order of the court.
- 3) A telephonic conference with counsel will be held before the undersigned magistrate judge at 10:00 a.m. on April 30, 2024 to discuss setting any change of plea hearing or the date of the jury trial. Counsel for all parties shall use the conferencing instructions provided by the court to participate in the call.
- 4) In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date and April 30, 2024**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(A) & (B)(iv). Failing to timely object to this order as provided under this court's local rules will be deemed a waiver of any right to later claim the time should not have been excluded under the Speedy Trial Act.

Dated this 27th day of February, 2024.

BY THE COURT:

s/ Susan M. Bazis  
United States Magistrate Judge